



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

MAIL

FEB 11 2005

DIRECTOR OFFICE  
TECHNOLOGY CENTER 2600

BMT/IBM  
FIVE ELM STREET  
NEW CANAAN CT 06840

In re Application of  
Edith H. STERN, et al.  
Application No. 10/040,231  
Filed: January 2, 2002  
For: **SYSTEMS, METHODS, AND  
APPARATUS FOR MONITORING A  
CONTAINER ASSOCIATED WITH AN ITEM**

:  
:  
: DECISION ON PETITION  
:  
:  
:

This is a decision on the Petition to Withdraw Erroneous Notice of Abandonment filed January 5, 2005, pursuant to 37 C.F.R. § 1.181(a). No fee is required.

The application was held abandoned for failure to respond in a timely manner and effective manner to the Office communication mailed May 5, 2004. A Notice of Abandonment was mailed December 14, 2004.

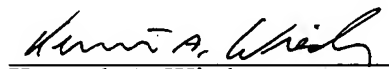
Petitioner alleges to have timely filed a response to said Office communication on July 22, 2004. In support thereof, Petitioner provided evidence in the way of a copy of the response filed July 22, 2004 which included a date stamped post card receipt which itemizes the receipt of an amendment on July 22, 2004.

A review of the file records reveals that the original amendment filed on July 22, 2004 has been located and matched with the file.

In view of the above stated reason, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Any inconvenience caused petitioner is regretted.

The petition is **GRANTED**.

The file will be forwarded to the Technology Center's technical support staff for entry of the amendment filed July 22, 2004. From there, the file will be forwarded to the examiner for consideration in due course.

  
Kenneth A. Wieder  
Special Program Examiner  
Technology Center 2600  
Communications